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~~CONFIDENTIAL~~

Attorneys for Plaintiff
Robert Kalani

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ROBERT KALANI,

Plaintiff,

vs.

PARK VASONA GAS, INC. dba PARK
VASONA CHEVRON aka PARK VASONA
CHEVRON AUTO CARE; WILLIAM R.
BENEVENTO and BETTY J. BENEVENTO,
AS TRUSTEES OF THE WILLIAM &
BETTY 1987 TRUST,

Defendants.

) No. 5:12-cv-05391-RMW

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**STIPULATION AND [P
ORDER FOR DISMISSAL OF ACTION**

IT IS HEREBY STIPULATED by and between Plaintiff Robert Kalani ("Plaintiff") and Defendants Park Vasona Gas, Inc., William R. Benevento, Trustee of the William & Betty 1987 Trust, and Betty J. Benevento, Trustee of the William & Betty 1987 Trust (collectively "Defendants"), by and through their respective counsel, that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the above-captioned action be dismissed with prejudice in its entirety. Each party is to bear its own attorneys' fees and costs.

STIPULATION AND [P ORDER FOR DISMISSAL OF ACTION

1 IT IS FURTHER STIPULATED between Plaintiff and Defendants that this case has
2 been settled as between them and all issues and controversies have been resolved to their
3 mutual satisfaction. Plaintiff and Defendants request the Court to retain jurisdiction to enforce
4 the terms of their settlement agreement under the authority of *Kokkonen v. Guardian Life Ins.*
5 *Co. of America*, 511 U.S. 375, 381-82 (1994).

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7 Date: May 15, 2013

MOORE LAW FIRM, P.C.

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10 /s/ Tanya E. Moore

Tanya E. Moore

Attorney for Plaintiff

Robert Kalani

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14 Date: May 15, 2013

SEDGWICK, LLP

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16 /s/ Tara K. Clancy

Tara K. Clancy

Attorneys for Defendants

17 Park Vasona Gas, Inc.; William R. Benevento,
18 Trustee of the William & Betty 1987 Trust; Betty
19 J. Benevento, Trustee of the William & Betty 1987
20 Trust

21
22 **ORDER**

23 The parties having so stipulated,

24 **IT IS HEREBY ORDERED** as follows:

25 1. Plaintiff Robert Kalani and Defendants Park Vasona Gas, Inc., William R.
26 Benevento, Trustee of the William & Betty 1987 Trust, and Betty J. Benevento, Trustee of the
27 William & Betty 1987 Trust shall comply with the terms of the confidential Settlement
28 Agreement and Release in Full, the terms of which are incorporated herein by reference.

STIPULATION AND [] ORDER FOR DISMISSAL OF ACTION

1 2. By consent of Plaintiff Robert Kalani and Defendants Park Vasona Gas, Inc.,
2 William R. Benevento, Trustee of the William & Betty 1987 Trust, and Betty J. Benevento,
3 Trustee of the William & Betty 1987 Trust, the Court shall retain jurisdiction in this matter for
4 the purpose of enforcing the terms of the settlement agreement.

5 3. Except as provided for in paragraphs 1 and 2 above, this action is dismissed with
6 prejudice in its entirety.

7 **IT IS SO ORDERED.**

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9 Dated: July 24, 2013


United States District Court Judge